

USSN 09/435,461

REMARKS**The Invention.**

The present invention provides method of modifying the surface of an aromatic polyester resin, film, fiber, yarn or fabric. Specifically, the enzymes utilized in the inventive method are identified by their activity in two assays performed on long chain polyester polymers.

Status of the Application.

Claims 1, 6, 7, 10-13, 18 and 21-23 are pending. Claims 1, 12, 21 and 23 are amended herein.

35 U.S.C. §102(b).

Claims 1, 6, 7, 10-13 and 21-23 stand rejected under 35 USC §102(b) as being anticipated by WO 97/27237 ('237) or WO 99/01604 ('604). Specifically, the Examiner asserts that the enzymes provided by the cited art are the same as presently claimed. Applicants respectfully traverse.

Applicants note that the enzymes described by the cited art have not been tested by the two required assays of the presently claimed method. The '604 and '237 applications use enzymes that have an activity on mono- or di-ester molecules. They were not tested on long chain esters. However, Applicants did test the *Candida antarctica* Lipase B, *Candida rugosa* lipase, *Humicola lanuginosa* lipase, which were included in the art cited above, as well as numerous other enzymes. See Table 1, pages 18 – 20 of Applicants' specification. None of the three prior art enzymes tested by Applicant possessed the requisite activity to be encompassed by the current claims.

Applicant respectfully requests withdrawal of this rejection.

35 U.S.C. §103.**Claim 4**

Claim 4 stands rejected under 35 USC 102(b) as anticipated by or in the alternative, under 35 USC 103(a) as obvious over WO 97/27237 or WO 99/01604. Applicant notes that claim 4 was cancelled by amendment. See June 3, 2002 Response to Office Action. Applicant respectfully requests withdrawal of this rejection.

USSN 09/435,461

Claim 18

Claim 18 stands rejected under 35 USC 102(b) as anticipated by or in the alternative, under 35 USC 103(a) as obvious over WO 97/27237 ('237) or WO 99/01604 ('604), in light of GB 2307695 ('695).

The arguments presented above for the '237 and '604 applications finds relevance here as well. The addition of the '695 application fails to cure the deficiencies of the '237 and '604 applications.

Claim 18 is directed to a method of treating a fabric before the application of a finish. The '695 application is directed to laundry detergents, having sulphonated polyesters based on glycerol (or other polyol) as a component of the detergent, for use on fabrics having a finish. Thus, the '695 application does not teach the use of glycerol; it teaches that part of the soil release polymer is based on glycerol.

Applicant respectfully requests withdrawal of this rejection.

CONCLUSION

In light of the above amendments, as well as the remarks, the Applicants believe the pending claims are in condition for allowance and issuance of a formal Notice of Allowance at an early date is respectfully requested. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 846-7516.

Respectfully submitted,
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Date: September 3, 2003

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